

BEST AVAILABLE COPY

Practitioner's Docket No.: 1139.23

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John S. Fisher)

Serial No.: 10/065,704)

Filed: 11/12/2002)

For: **BIOABSORBABLE MARKER
HAVING EXTERNAL
ANCHORING**)

Art Unit: 3737

Examiner: Unassigned

Faxed to Technology Center 3700 at (703) 872-9302
Assistant Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

(37 C.F.R. § 1.53)

INTRODUCTORY COMMENTS

Dear Sir:

In response to the Notice of Omitted Item(s) in a Nonprovisional Application mailed November 21, 2002, having a shortened statutory period for response that expired January 21, 2003, the above-identified patent application is amended a first time as indicated in the enclosed separate sheets entitled Amendments to the Specification and Remarks.

Very respectfully,

SMITH & HOPEN

By: R. E. Smith

Ronald E. Smith
Suite 220
15950 Bay Vista Drive
Clearwater, FL 33760
(727) 507-8558
Attorneys for Applicant

Dated: February 10, 2003